

December 11, 2000

VIA HAND DELIVERY

David Waddell, Executive Secretary  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, Tennessee 37238

00-00873

Dear Mr. Waddell:

Enclosed are the original and thirteen copies of the Joint Motion To Establish Workshops and Extend Deadline For Filing Comments. Copies of the enclosed are being provided to all parties.

Sincerely,

*Charlie Howorth*

Charles Howorth  
On behalf of:  
AT&T  
BellSouth Telecommunications  
Citizens Communications and Tennessee Rural Independent Coalition  
MCI WorldCom, Inc.  
NewSouth Communications, Corporation  
SECCA  
TDS Telecom  
Time Warner Telecommunications  
United Telephone Southeast  
XO Communications

POSTED  
12-14-00

**BEFORE THE TENNESSEE REGULATORY AUTHORITY  
NASHVILLE, TENNESSEE**

**Re: In the Matter of Notice of Rulemaking Amendment of Regulations for  
Telephone Service Providers**

**Docket No. 00-00873**

**MOTION TO ESTABLISH WORKSHOPS AND  
EXTEND DEADLINE FOR FILING COMMENTS**

The following entities (“Industry Members”) respectfully request the TRA to enter an order during the December 19 Agenda Conference: (1) establishing workshops to address the proposed rules in this docket; and (2) extending the deadline for filing comments on the proposed rules until after the workshops:

AT&T  
BellSouth Telecommunications  
Citizens Communications and Tennessee Rural Independent Coalition  
MCI WorldCom, Inc.  
NewSouth Communications, Corporation  
SECCA  
TDS Telecom  
Time Warner Telecommunications  
United Telephone Southeast  
XO Communications

**1. THE TRA SHOULD ADOPT THE INDUSTRY MEMBERS’ PROPOSED  
SCHEDULE FOR WORKSHOPS TO ADDRESS THE PROPOSE RULES.**

The proposed rules issued in this docket constitute an extensive rewrite of Chapter 1220-4-2, Regulations for Telephone Telecommunications Service Providers. This proposed rewrite of the Tennessee rules will affect consumers, the TRA, existing service providers, and new service providers for many years to come. In that respect, the proposed rewrite is similar to legislation that overhauls or reforms an existing area of the law.

When the General Assembly considers reform or overhaul legislation that will affect a broad spectrum of interests, it generally seeks a great deal of input from all persons and entities that will be affected by the legislation. This input – which can include committee hearings and

This does not mean that the original version of the proposed legislation necessarily was bad. Instead it proves that even a good original proposal usually is made better by carefully considering and balancing the input of everyone who will be affected by it, which will likely result in appropriate wording for proper interpretation.

With that in mind, the original version of the proposed rewrite presents various technical, policy, and legal issues that should be carefully addressed and balanced. If the rewrite did not address such a broad spectrum of issues, filing written comments might be an effective method of suggesting appropriate revisions. It is evident from the comments presented during the November 16, 2000 public hearing, however, that any given provision of the proposed rewrite can have numerous (and perhaps unintended) downstream effects that impact one carrier differently than they impact another carrier. One carrier's proposed revision, therefore, may harm another carrier, but a compromise revision could satisfy all carriers while providing the benefits to Tennessee consumers that are intended by these rules.

Consistent with the comments presented during the November 16, 2000 public hearing in this docket, the Industry Members respectfully request that the TRA issue an Order establishing workshops to facilitate this rule making process. More specifically, the Industry Members request that such an order officially notice the workshops and schedule the workshops in a manner that will give interested parties time to prepare for them and to schedule the involvement of their respective subject matter experts. Towards that end, the Industry Members move the TRA to adopt the schedule set forth in Attachment A for these workshops. The Industry Members also request that a transcript of the workshops, as well as copies of any written comments that are filed in this docket, be included in the official record in this docket.

## **II. THE TRA SHOULD EXTEND THE DEADLINE FOR FILING WRITTEN COMMENTS UNTIL AFTER THE WORKSHOPS**

The Industry Members have received little feedback regarding the verbal comments that were presented during the November 16, 2000 hearing in this docket. If required to file comments with no further proceedings, therefore, each Industry Member would need to address every nuance of every concern it has with regard to every rule. It is clear, therefore, that filing written comments addressing the proposed rules by December 21, 2000 (the current deadline) would impose an undue burden on the Industry Members (especially in light of the level of regulatory activity across the industry at this time). Filing comments on December 21, 2000 would create unnecessarily voluminous written comments for the TRA to cull through.

Given the opportunity to understand the concerns that led to the proposed rules and to consider addressing those concerns in a different manner, it is possible that the Staff, the Industry Members, and other interested parties could reach a mutually-agreeable resolution and appropriate rule language for many of the concerns that exist. If that happens, the Industry Members will be able to focus their written comments on the issues that remain. This would be much less burdensome on the Industry Members, it would reduce the volume of comments the TRA would need to address, facilitating regulatory efficiencies and focusing the comments on the issues that remain. The Industry Members, therefore, respectfully move the TRA to extend the deadline for filing written comments until after the workshops, as proposed in Attachment A.

### **CONCLUSION**

Based on the foregoing, the TRA should enter an Order: (1) establishing workshops to address the proposed rules in this docket; and (2) extending the deadline for filing comments on the proposed rules until after the workshops.

Respectfully submitted by;

Jim Lamoureux by csh  
Jim Lamoureux  
AT&T

Charles Howorth  
Charles Howorth  
BellSouth Telecommunications

John B. Adams by csh  
John B. Adams  
Citizens Communications and  
Tennessee Rural Independent Coalition

Susan Berlin by csh  
Susan Berlin  
MCI WorldCom, Inc.

Chuck Welch by csh  
Charles Welch  
NewSouth Communications, Corporation  
And Time Warner Telecommunications

Henry Walker by csh  
Henry Walker  
SECCA

Bruce H. Mottern by csh  
Bruce H. Mottern  
TDS Telecom

Jim Wright by csh  
James B. Wright  
United Telephone Southeast

Dana Shaffer by csh  
Dana Shaffer  
XO Communications

### CERTIFICATE OF SERVICE

I hereby certify that on December 11, 2000, a copy of the foregoing document was served on the parties of record, via the method indicated:

☐ Hand  
☒ Mail  
☐ Facsimile  
☐ Overnight

James Lamoureux, Esquire  
AT&T  
1200 Peachtree St., NE  
Atlanta, GA 30309

☐ Hand  
☒ Mail  
☐ Facsimile  
☐ Overnight

James Wright, Esq.  
United Telephone - Southeast  
14111 Capitol Blvd.  
Wake Forest, NC 27587

☐ Hand  
☒ Mail  
☐ Facsimile  
☐ Overnight

Dana Shaffer, Esquire  
XO Communications, Inc.  
105 Malloy Street, #100  
Nashville, TN 37201

☐ Hand  
☒ Mail  
☐ Facsimile  
☐ Overnight

Susan Berlin  
MCI Worldcom, Inc.  
Six Concourse Pkwy, #3200  
Atlanta, GA 30328

☐ Hand  
☒ Mail  
☐ Facsimile  
☐ Overnight

Henry Walker, Esquire  
Boult, Cummings, et al.  
P. O. Box 198062  
Nashville, TN 37219-8062

☐ Hand  
☒ Mail  
☐ Facsimile  
☐ Overnight

John B. Adams  
Citizens Communications  
250 S. Franklin St.  
Cookeville, TN 38501

☐ Hand  
☒ Mail  
☐ Facsimile  
☐ Overnight

Bruce H. Mottern  
TDS Telecom  
P. O. Box 22995  
Knoxville, TN 37933-0995

☐ Hand  
☒ Mail  
☐ Facsimile  
☐ Overnight

Charles B. Welch, Esquire  
Farris, Mathews, et al.  
618 Church St., #300  
Nashville, TN 37219

☐ Hand  
☒ Mail  
☐ Facsimile  
☐ Overnight

Timothy Phillips, Esquire  
Office of Tennessee Attorney General  
425 Fifth Avenue North  
Nashville, Tennessee 37243

☐ Hand  
☒ Mail  
☐ Facsimile  
☐ Overnight

Andrew O. Isar  
ASCENT  
3220 Uddenberg Lane N W  
Gig Harbor, Washington 98335

Charlie Hornum

00-00873  
Attachment A

**TRA Proposed Service Standard Rules Workshops**

**Workshop I January 15, 2001**

1220-4-2-.01 Definitions  
1220-4-2-.02 Scope of Regulations  
1220-4-2-.03 Records and Reports  
1220-4-2-.09 White Page Directories  
1220-4-2-.12 Customer Complaints  
1220-4-2-.13 Accuracy Requirements  
1220-4-2-.15 Prepaid Calling Cards  
1220-4-2-.19 Lifeline and Link-up  
1220-4-2-.22 Enforcement Provisions

Agreed rule revisions February 5, 2001  
Workshop I February 26, 2001 Comments

**Workshop II March 12, 2001**

1220-4-2-.04 Customer Refunds for Service Outages  
1220-4-2-.05 Customer Deposits  
1220-4-2-.06 Disconnection of Local Service  
1220-4-2-.07 Disconnection of Local Service to a  
Reseller  
1220-4-2-.08 Privacy of Customer Information  
1220-4-2-.14 Payment for Services

Agreed rule revisions April 2, 2001  
Workshop II Comments April 23, 2001

**Workshop III May 7, 2001**

1220-4-2-.10 Emergency Service Provisioning  
1220-4-2-.11 Telephone Construction  
1220-4-2-.16 Adequacy of Service  
1220-4-2-.17 Basic Obligations for ETCs  
1220-4-2-.18 Quality of Service Mechanisms  
1220-4-2-.20 Number Conservation  
1220-4-2-.21 Toll Free County Wide Calling

Agreed rule revisions May 28, 2001  
Workshop III June 18, 2001 Comments